



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Seventh day of August Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE K.KALYANASUNDARAM

CRL OP(MD) No.15338 of 2015

CHINNATHAMBI

... PETITIONER/ACCUSED NO.3

Vs

THE STATE REP BY INSPECTOR OF
C4, THILAGARTHIDAL POLICE STATION,
MADURAI, MADURAI DISTRICT.
(CRIME NO. 593 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.B.JEYAKUMAR Advocate

For Respondent : M/S.S.PRABHA Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

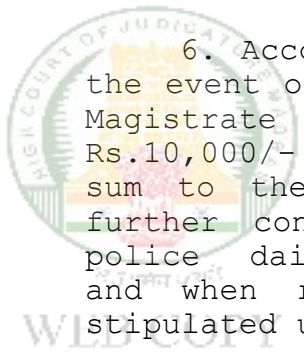
The petitioner who is arrayed as A3, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 3 (1) of Tamil Nadu Public Property Damage and Loss Act, in Crime No.593 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the de-facto complainant is a tenant of A1 and he is running his business in the name and style of "Karuppiyah Auto Electrical Service Centre" in the tenanted premises and one Jothimani purchased the said property from one Magamayee Ammal in the year 2012. Thereafter, the said Jothimani and her husband compelled the de-facto complainant to vacate his shop as they have purchased the property. Hence, the de-facto complainant filed the petitions in R.C.O.P and O.S before the civil Court. While doing so, on 20.07.2015, the accused caused damage of the building. Hence, a case has been registered against the petitioner.

3. The Learned Counsel appearing for the petitioner submits that the petitioner was acting as a Mediator between the de-facto complainant and the owner of the building. He further submits that the petitioner is innocent and he has been falsely implicated in this case and he further submits that A1 was already granted anticipatory bail by this Court.

4. Heard the learned Counsel appearing for the petitioner and the learned Government Advocate (Criminal side) appearing for the respondent.

5. Considering the submissions made by the learned Counsel, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.



6. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance before the learned Judicial Magistrate No.II, Madurai, and on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that petitioner shall appear before the respondent police daily at 10.00 a.m for a period of two weeks and thereafter as and when required. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

07/08/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE NO.II, MADURAI,
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
3. THE STATE REP BY INSPECTOR OF C4, THILAGARTHIDAL POLICE STATION, MADURAI, MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.15338 of 2015

Date :07/08/2015

GJM/PRV/SAR-II 12.8.15-2P/5C